



PATENT
Attorney Docket 044574-5059-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of **Albert B. Deisseroth *et al.***)
Application No. **09/856,922**) Group Art Unit: **1632**
Filed: **August 5, 2002**) Examiner: **Scott D. Priebe**
For: **Plastin Promoter Directed Gene Therapy**)

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This Information Disclosure Statement is being filed after the events recited in § 1.97(b), but to the undersigned's knowledge, before the mailing date of either a Final Action or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by § 1.17(p).

Submitted herewith is a clean copy of a PTO 1449 form for execution and return by the Examiner. This Information Disclosure Statement is a replacement for the IDS filed on June 9, 2003 and June 30, 2003. Applicants note that document numbers 48, 53, 54 and 65 are newly cited documents and are enclosed herein. The Office has acknowledged receipt of the other documents, thus additional copies of the listed documents have not been submitted herewith.

Applicants note that document numbers 1, 18, 41, 40 and 65 were cited in an International Search Report which issued in a corresponding PCT Application, International Application No. PCT/US99/28613. A copy of the International Search report is attached. In addition, Applicants note that document numbers 4, 38, 39, 40, 53, 54 and 70 were cited in a European Search Report which issued in a corresponding European Application, European Application No. 99961918. A copy of the Supplementary Partial European Search report is also attached.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. This

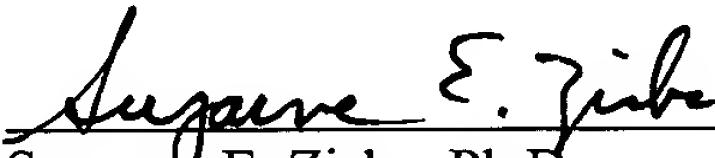
submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute prior art. If the Examiner applies any one of the documents as prior art against any claim in the application, and Applicants determine that the cited document does not constitute prior art under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

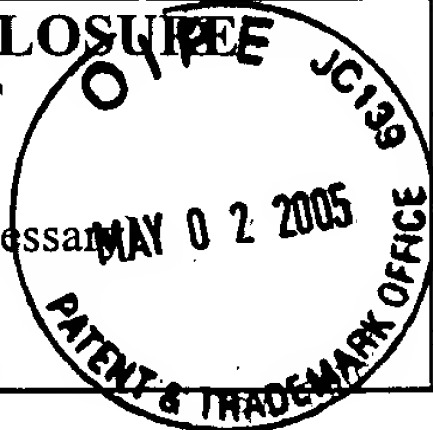
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Please charge the amount of \$180.00 as set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 50-0310.

Dated: **May 2, 2005**
Morgan, Lewis & Bockius LLP
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Respectfully submitted,
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U.S. PATENT DOCUMENTS							
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	1.	5,360,715	November 1, 1994	Leavitt et al.	435	6	January 10, 1991

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	2.	WO 00/33655	June 15, 2000	WIPO			
	3.	WO 95/21259	August, 10 1995	WIPO			
	4.	WO 94/17182	August, 4 1994	WIPO			

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	17.	Chen et al. (1996) "Sensitization of human breast cancer cells to cyclophosphamide and ifosfamide by transfer of a liver cytochrome P450 gene" Cancer Research, American Association for Cancer Research, Inc. (AACR), 615 Chestnut St., 17th Floor Philadelphia, PA 56:1331-1340

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
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27.	Gulati et al. (1992)	"Purging in autologous and allogeneic bone marrow transplantation" Curr. Opin. Oncol. , Lippincott Williams & Wilkins, 250 Waterloo Road , London, UK 4:264-271
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